

AMENDMENT TO THE SPECIFICATION

FIGURE 1 is ~~a top plan view of a vial in accordance with this invention~~ an overhead view of the vial containing a bubble in accordance with the principles in an embodiment of the present invention.

FIGURE 2 is a front elevation of the vial of FIGURE 1 ~~overhead view of the vial in accordance with the principles of an embodiment of the present invention.~~

FIGURE 3 is a front elevation of a level including the vial of FIGURES 1 and 2 ~~side view of a level in accordance with the principles of an embodiment of the present invention.~~

FIGURE 4 is a ~~cross-section~~ cross-section view of the vial taken along line 4-4 as shown in [[of]] FIGURE 2 ~~in accordance with the principles of an embodiment of the present invention.~~

FIGURE 5 is a ~~cross-section~~ cross-section view similar to FIGURE 4 but showing a vial which is an alternate embodiment of the invention ~~of the vial taken along line 4-4 of FIGURE 2 in accordance with the principles of an embodiment of the present invention.~~

FIGURE 6 is a ~~cross-section~~ another cross-section view illustrating another vial which is yet another embodiment of the invention ~~of the vial taken along line 4-4 of FIGURE 2 in accordance with the principles of an embodiment of the present invention.~~

FIGURE 7 is a ~~cross-section~~ cross-section view of yet another vial showing another embodiment of the invention ~~the vial taken along line 4-4 of FIGURE 2 in accordance with the principles of an embodiment of the present invention.~~

At page 8, please amend the paragraph beginning at line 2 as follows:

~~FIGURES~~ FIGURE 1 ~~and 2~~ ~~are~~ is a front elevation of an embodiment of ~~overhead views~~  
~~of an embodiment of the~~ vial 10. Vial 10 includes a body 20 having a first end 21 and second  
end 22 with a midpoint 23 therebetween. Vial 10 is preferably a plastic material such as acrylic,  
polycarbonate, polystyrene, butyrates or the like, and is transparent. An interior surface 24 of  
body 20 defines a barrel-shaped cavity 30 such that there exists a cross-section of cavity 30  
which has a maximum diameter 31. ~~The internal surface of body 20 defines a barrel-shaped~~  
~~cavity 30 such that there exists a cross-section of the cavity 30 which has a maximum diameter.~~  
~~The maximum~~ Maximum diameter 31 is preferably positioned near or at the midpoint 23.

At page 8, please amend the paragraph beginning at line 9 as follows:

Vial 10 further includes ~~at least one~~ marker rings 41 and 42 ~~ring 40~~ connected with  
respect to ~~[[the]]~~ body 20, ~~shown as a first marker ring 41 and a second marker ring 42.~~ The  
~~marker~~ Marker rings 41 ~~[[;]]~~ and 42 are preferably equidistant to ~~[[the]]~~ maximum diameter 31.  
As shown, a bubble 50 is positioned within ~~[[the]]~~ cavity 30 at ~~[[the]]~~ maximum diameter 31 and  
between marker rings 41 ~~[[;]]~~ and 42. ~~The bubble~~ Bubble 50 is defined by a gas-liquid interface  
51 with ~~[[the]]~~ bubble 50 being a gas 52 and the rest of ~~[[the]]~~ cavity 30 being filled with a liquid  
53. ~~The gas~~ Gas 52 is preferably air and ~~[[the]]~~ liquid 53 is preferably mineral spirits or the like.

At page 8, please amend the paragraph beginning at line 16 as follows:

Vial 10 also includes dark-colored bands ~~[[60]]~~ 61 and 62 circumscribing ~~[[the]]~~ cavity  
30. First band 61 is positioned between maximum diameter 31 and first end 21 and second band  
62 is positioned between maximum diameter 31 and second end 22.

At page 8, please amend the paragraph beginning at line 19 as follows:

Vial 10 further includes end closures ~~[[70]]~~ 71 and 72 at ~~[[the]]~~ first end 21 and second ~~ends 21, end 22~~. First end closure 71 is at first end 21 and second end closure 72 is at second end 22. First and second end closures 71~~[[;]]~~ and 72 are preferably integral with body 20 and enclose cavity 30.

At page 8, please amend the paragraph beginning at line 23 as follows:

FIGURE 1 shows bubble 50 positioned at ~~[[the]]~~ maximum diameter 31. Viewing line ~~[[52]]~~ 54 shows ~~[[the]]~~ how ~~[[the]]~~ first band 61 is reflected off of interface 51 when viewing ~~[[the]]~~ vial 10 from the side. As is apparent, innumerable reflections of ~~[[the]]~~ bands ~~[[60]]~~ 61 and 62 off of interface 51 provide the viewer with a dark-colored outline of ~~[[the]]~~ bubble 50 along its perimeter. ~~The interface~~ Interface 51 between the viewer and ~~[[the]]~~ bubble 50, i.e., the central portion of ~~[[the]]~~ bubble 50 in FIGURE 1, appears to not reflect the bands. In a preferred embodiment, bands ~~[[60]]~~ 61 and 62 are about ½ inch wide and are equidistant to ~~[[the]]~~ bubble 50 when positioned at ~~[[the]]~~ maximum diameter 31. Each band ~~bands-[[60]]~~ 61 and 62 may be about ½ inch from ~~[[the]]~~ maximum diameter 31.

At page 9, please amend the paragraph beginning at line 1 as follows:

FIGURE 3 is a front elevation side view of a level 80 including vial 10. Level 80 includes a measuring surface 81 for contacting an element ~~[[{]]such as a building surface[{}]]~~ to be measured. A recess 82 is formed in ~~[[the]]~~ level 80 at an angular relationship to ~~[[the]]~~ measuring surface 81. Recess 82 receives and holds vial 10 at an angular relationship to ~~[[the]]~~ measuring surface 81. As shown, vial 10 is parallel to measuring surface 81.

At page 9, please amend the paragraph beginning at line 6 as follows:

FIGURE 5 shows a ~~cross-section~~ cross-section view of ~~[[the]]~~ vial 10 taken along line 4-4 of FIGURE 2 in which first band 61 has been applied to ~~[[the]]~~ an exterior surface 25 of vial 10. FIGURES 4, 6, and 7 are alternate ~~cross-section~~ cross-section views of ~~[[the]]~~ vial 10 taken along line 4-4 of FIGURE 2. In FIGURE 4, first band 61 is shown on ~~[[the]]~~ interior surface 24 of vial 10. In FIGURE 6, first band 61 is shown in body 20 between ~~[[the]]~~ interior surface 24 and exterior surface ~~surfaces 24, 25~~. Such an embodiment may include a dual component overmolded vial 10 in which ~~[[the]]~~ bands ~~[[60]]~~ 61 and 62 are positioned on an inner cylinder before an outer sleeve is molding around the cylinder and sleeve. In each of these embodiments shown in FIGURES 4-6, bands ~~[[60]]~~ 61 and 62 may be a foil comprised of metal, thermoset material, thermoplastic material having a high melting point, ink, pigment or other dark material, and bands ~~[[60]]~~ 61 and 62 may be hot stamped, pressed or rolled into, printed onto or otherwise applied to body 20. In FIGURE 7, first band 61 is integral with body 20 and can be said to be positioned between ~~[[the]]~~ interior surface 24 and exterior surface ~~surfaces 24, 25~~ of body 20. In such an embodiment, bands ~~[[60]]~~ 61 and 62 may be comprised of opaque or translucent portions of the body.